IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

INCOME TAX APPEAL NO. 825 OF 2002

The Commissioner of Income-tax,
Bombay city-20. Appellant

vs.

Sayyad Naseem Aalam, Bombay. Respondent

Mr.R. Asokan i/b. Mr. K. B. Rao for the appellant.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 15th September 2004

P.C.

Heard.

2. The issue raised in this appeal stands answered by the Division Bench judgment of this Court in the case of Cadell Weaving Mill Co.Pvt. Ltd v. Commissioner of Income Tax, 249 ITR 265. However, the learned counsel for the revenue submits that the said judgment is under challenge before the Supreme Court. Even if that be so, in so far as we are concerned, the issue stands concluded by the Division Bench judgment of this court.

3. No substantial question of law arises.

4. Appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)